

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

RYAN MCCOMBS-ALLEN

Plaintiff,

v.

DREAM TEAM PIZZA, LLC

d/b/a DOMINO's

Defendant.

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**Jackson County, Missouri Case
No: 2116-CV-19015**

NOTICE OF REMOVAL

COMES NOW Defendant Dream Team Pizza, LLC d/b/a Domino's, by and through counsel Larry Logback and Jaime Whitt of Simpson, Logback, Lynch, Norris, P.A., and hereby submits its notice of removal pursuant to 28 U.S.C. § 1441(a). For the grounds supporting removal, Defendant states as follows:

1. Plaintiff Ryan McCombs-Allen asserts causes of action against Defendant arising out of the Americans with Disabilities Act and/or the ADA Amendments Act of 2008, 42 U.S.C. §12101 *et seq.* (See Plaintiff's Petition, Attached as **Exhibit 1**, ¶¶ 48-62)
2. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over Plaintiff's ADA claim, as Plaintiff's Petition presents a federal question.
3. Pursuant to 28 U.S.C. §1367(a), this Court has supplemental jurisdiction over Plaintiff's wrongful termination claim under Kansas state law, as Plaintiff's state law claim and ADA claim form part of the same case or controversy. (See **Exhibit 1**, Plaintiff's Petition, generally.)

4. Removal is timely pursuant to 28 U.S.C. § 1446(b)(2)(C) and the notice of removal is timely, as it is filed within 30 days of service on Defendant. (See **Exhibit 2**, File-Stamped Notice of Service of Defendant Dream Team.)
5. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders are attached hereto as **Exhibits 1-2**.
6. Pursuant to 28 U.S.C. § 1446(d), a notice of removal is being contemporaneously filed with the Clerk of the Circuit Court of Jackson County, Missouri, and served upon counsel for Plaintiff.

Respectfully Submitted,

SIMPSON, LOGBACK, LYNCH, NORRIS, P.A.

s/Jaime L. Whitt

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Attorneys for Defendant

Dream Team Pizza, LLC

d/b/a Domino's

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of October, 2021, a true and correct copy of the above and foregoing was filed electronically with the Court, which will send notice of electronic filing to all parties and counsel of record.

/s/ Jaime L. Whitt

Attorney